

17833. Misbranding of Q. W. condition powder. U. S. v. 44 Cans of Q. W. Condition Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25292. I. S. No. 4796. S. No. 3552.)

Examination of samples of a drug product, known as Q. W. condition powder, having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported to the United States attorney for the Eastern District of New York the herein-described interstate shipment of a quantity of the product located at Brooklyn, N. Y.

On November 3, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 44 cans of Q. W. condition powder, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by the Q. W. Laboratories, from Bound Brook, N. J., on or about October 6, 1930, and had been transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the article consisted essentially of sulphur and charcoal.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the can label, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Condition Powder for use as an aid in putting and keeping Dogs, Cats, Poultry, Etc. in good Physical Condition * * * For Use as An Aid in: Purifying blood and stomach; correcting indigestion; * * * Treating eczema and other skin diseases due to impure blood or bad digestion; All around conditioning dogs off feed or dopey; Giving new vim, pep, and energy; Stimulating and aiding digestion; Assisting puppy growth; Treatment of distemper: Preventing worms, Good for man or beast. * * * A teaspoonful a day for a few days will help to Put the dog into condition. A teaspoonful twice a week will help to permanently Keep the dog in condition. Very valuable to use with Q-W Worm Mixture to help rid badly infested dogs of worms and with Q-W Dog Soap to help treat Mange and Eczema."

On December 4, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17834. Misbranding of Pastillas de Compuesta Mitchella. U. S. v. 11 Dozen Packages of Pastillas de Compuesta Mitchella. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25089. I. S. No. 241. S. No. 3355.)

Examination of samples of a drug product, known as Pastillas de Compuesta Mitchella, from the herein-described interstate shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of California.

On September 5, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 11 dozen packages of Pastillas de Compuesta Mitchella, remaining in the original unbroken packages at San Francisco, Calif., consigned by Dr. J. H. Dye, Buffalo, N. Y., alleging that the article had been shipped from Buffalo, N. Y., on or about April 24, 1930, and had been transported from the State of New York into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of extracts of plant drugs including resins and volatile oils, coated with a mixture of starch, sugar, and calcium carbonate, and colored with a purple dye.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing on the bottle label and in the accompanying circulars, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "For alleviating nervousness, irritability, pangs of pregnancy and childbirth, irregular, painful or profuse menstruation and disorders during the change of life * * * Ordinary dose: Take a pastilla before each meal and when going to bed. In